2	Nuclear Decommissioning Citizens Advisory Panel (NDCAP)
3	Monday, June 14, 2021
4	Microsoft Teams Webcast
5	Meeting Minutes
6	
7	VT NDCAP Members Present (via webcast):
8	• Emily Davis , Citizen Appointee of former Senate President Pro Tempore Tim Ashe, Panel
9	Chair
10	 June Tierney, Commissioner of Public Service, ex officio
11	 Lissa Weinmann (Brattleboro), Citizen Appointee of former Senate President Pro
12	Tempore Tim Ashe, VT NDCAP Federal Nuclear Waste Policy Committee Chair (joined at
13	~6:52 PM)
14	 Madeline Arms, Representative for the Town of Vernon
15	• VT State Representative Sara Coffey (Guilford), Citizen Appointee of former Speaker of
16	the House Mitzi Johnson
17	• Trish Coppolino, Department of Environmental Conservation (DEC) Waste Management
18	and Prevention Division Environmental Program Manager, Designee for the Secretary of
19	Natural Resources
20	 Corey Daniels, Senior ISFSI Manager, NorthStar Vermont Yankee
21	 Dr. Bill Irwin, Radiological &Toxicological Sciences Program Chief, Designee for the
22	Secretary of Human Services
23	• Bob Leach , Citizen Appointee of Governor Phil Scott (joined webcast at ~6:10 PM after a
24	connectivity issue)
25	 David Pearson, Vice-President and Regional Manager, NorthStar Group Services
26	 Marvin Resnikoff, Citizen Appointee of former Speaker of the House Mitzi Johnson
27	VT State Representative Laura Sibilia, Member of the House Committee on Energy &
28	Technology (had to leave webcast at 7:30 PM)
29	
30	The following NDCAP members were absent from the meeting:
31	 Josh Unruh, Citizen Appointee of Governor Phil Scott, Panel Vice-Chair
32	Chris Campany, Executive Director of the Windham Regional Commission (WRC)
33	• Brett Long , Deputy Commissioner of Economic Development, Designee for the Secretary
34	of Commerce and Community Development
35	VT State Senator Mark MacDonald, Member of the Senate Committee on Natural
36	Resources and Energy
37	• MA State Representative Paul Mark (Peru, MA), representing the Towns of Bernardston,
38	Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, appointee of
39	former MA Governor Deval Patrick
40	
41	There are currently two vacancies on the Panel.

Approved 09.20.2021

1

With 10 Panelists connected at the start of the Teams webcast (and 2 more Panelists joining late), a quorum was present (10 Panelists required). Approximately 11 members of the public (and 11 staff members associated with the Panel) connected to the webcast.

- The meeting was called to order at 6:04 PM; a recording of the meeting webcast is available online at http://publicservice.vermont.gov/electric/ndcap and at
- 8 https://www.brattleborotv.org/vt-nuclear-decommissioning-citizens-advisory-panel/vt-ndcap-61421-
 9 mtg

Welcome, Opening Remarks & Overview of Meeting Agenda:

The Chair, Emily Davis, welcomed everyone for the meeting and briefly outlined options for the public to ask questions (type questions in chat or use raise hand feature). Panel members on the webcast briefly introduced themselves.

Amendments to the Meeting Agenda: After reviewing the meeting agenda (available at https://publicservice.vermont.gov/content/meeting-agenda-6-14-2021-revised), the Panelists present agreed to add a discussion of future Panel meeting options as a result of today's (June 14) announcement from the Vermont Governor's Office lifting Pandemic restrictions.

Approval of Meeting Minutes: The April 12, 2021 meeting minutes were reviewed. State Nuclear Engineer Tony Leshinskie requested several minor corrections to the minutes:

- on Page 5, Line 11, change "to" to "do" (near end of line)
- on Page 5, Line 14, change "sited" to "cited"
- on Page 5, Line 24, add a space to "a145 kilowatt" so it reads "a 145 kilowatt"
- on Page 5, Line 31, change "who" to "where"
- on Page 6, Line 43, change "license" to "licensed"

A motion to approve the April 12 minutes as amended was made by Corey Daniels and seconded by Bob Leach. The amended minutes were approved by voice vote with no nays or abstentions heard.

NorthStar Update on VY Site Decommissioning Activities

- 32 NorthStar's presentation begins at 0:13:56 in the meeting video. Panel Member Corey Daniels,
- NorthStar Senior ISFSI (spent fuel storage) Manager at Vermont Yankee, presented a summary of recent site decommissioning activities. The slides for this presentation are available at:
- 35 https://publicservice.vermont.gov/electric/ndcap in the "Meeting of June 14, 2021" section.

NorthStar has reached over 750,000 person hours without an OSHA Recordable Lost Time Accident since starting decommissioning work in January 2019. The goal remains to complete the project with zero Lost Time Accidents. The Nuclear Regulatory Commission (NRC) has issued no cited violations, nor have there been any non-cited violations, for the decommissioning project in either 2019 or 2020. There have been no cited or non-cited violations thus far in 2021.

Progress on Reactor Vessel (RV) segmentation was described. RV core shroud segmentation is expected to complete this week. Segmentation of the Shroud cylinder is done. The remaining steps in the RV

segmentation project are to remove the RV jet pumps, segment the RV nozzles and then begin segmenting the RV itself. Degraded water clarity, which reduces visibility while conducting segmentation tasks, was noted, but thus far, this has not significantly impacted the project.

Current Turbine Building demolition and equipment removals were described. The presentation photos showing large, empty spaces are indicative of progress in and around the Turbine Building. These areas were filled with equipment when the plant was operating. Clearing of ancillary abandoned structures such as the Administration Building and the plant's 345 kilovolt transmission line and tower were noted.

Through the end of May, 269 radwaste shipments have been sent to WCS facilities since the start of decommissioning project. Between 2 and 4 shipments occur per week (3 per week on average).

NorthStar continues steady progress in onsite non-radiological clean-up and continues to work with the Agency of Natural Resources on additional corrective action plans. No new contaminated areas have been identified onsite. Groundwater from the site's several diversion wells is being discharged to the Connecticut River in accordance with the river discharge permit recently approved by the Department of Environmental Conservation (DEC).

State Agencies' Updates on VY Decommissioning

These presentations begin at 0:30:35 in the meeting video.

Public Service (PSD) Project Assessment and Update

Eric Guzman, PSD Special Counsel (staff attorney) made this presentation. Nick Capik and Mark Gmyr of Four Points Group (FPG), PSD's consultants for overseeing the financial and technical details of VT Yankee's Decommissioning, were also present to provide additional details as needed. The slides for this presentation are available at: https://publicservice.vermont.gov/electric/ndcap in the "Meeting of June 14, 2021" section.

Eric outlined PSD's financial and technical oversight role, which includes updates on work complete versus work remaining and project expenditures versus funds remaining. PSD coordinates with other State Agencies and FPG to assess project status and whether the trust fund reimbursement requests are consistent with the work completed. PSD also meets with NorthStar regularly to conduct any follow-up necessary on NorthStar's self-reporting. Regular site visits by FPG are conducted to observe completed work. The most recent visit was in early April. These visits continue to show that project progress is consistent with that described in NorthStar's most recent status reports. NorthStar remains on track to complete the project with available funding.

It was noted that the Vermont Yankee indirect license transfer case before the Vermont Public Utilities Commission is currently stayed pending a submittal change from the Petitioners (NorthStar ownership). PSD has completed its review of NorthStar's required annual project certification report and financial disclosures. No issues were identified from PSD's review.

Nuclear Decommissioning Trust (NDT) and Site Restoration Trust (SRT) fund balances and disbursements between March and early June 2021 were provided. As of May 31, the NDT balance is roughly

\$330.3 million; the SRT balance is roughly \$60.3 million. All fund disbursements are for work already completed.

Agency of Natural Resources (ANR) / Department of Environmental Conservation (DEC) Project Update

Gerold Noyes from ANR / DEC Waste Management Division provided this update. The slides for this presentation are available at: https://publicservice.vermont.gov/electric/ndcap in the "Meeting of June 14, 2021" section. The ANR/DEC presentation begins at 0:39:00 in the meeting video.

DEC's ongoing interactions with VT Yankee were outlined (regular status calls, draft permit and corrective action plan reviews). ANR Staff most recently visited the VT Yankee site on June 2. This visit allowed Patricia Coppolino and Anna Bourakovsky to observe site activities first-hand. These ANR Staff members recently took over for Chuck Schwer and Steve Simoes, who both retired recently. The June 2 visit also allowed opportunity to observe quarterly groundwater sampling for non-radiological contaminants that occurred that day. ANR continues to work closely with NorthStar's remediation contractor, Haley & Aldrich. ANR continues to review the post-demolition sampling plan and previously submitted remediation for several previously identified Areas of Concern (AOCs). No new contamination areas have been found onsite thus far; however more sampling will be done as more structures at the site are demolished, allowing more areas to be sampled. COVID-19 work restrictions have created a backlog of ANR review of site contamination risk assessments. Review of the VT Yankee site assessment will resume once the risk assessor becomes available. Some PFAS contamination has been found onsite, most likely due to an onsite transformer fire a number of years ago. No site-wide contamination is expected from this finding. No new asbestos abatement work has been reported since ANR's last presentation to VT NDCAP.

Panelist Questions on NorthStar and State Agencies' Reports

Panelist questions on these presentations begin at 0:50:35 on the meeting video.

Marvin Resnikoff: US Nuclear Regulatory Commission (NRC) radioactive waste estimates from Reactor Vessel segmentation indicate that roughly 6,000,000 Curies of radwaste is to be expected from a Boiling Water Reactor (BWR) Vessel. Greater-than-Class C waste comprises 175,000 Curies in this estimate. NorthStar has thus far indicated that the radwaste estimate from VT Yankee's Reactor Vessel is about 20,000 Curies in total. NorthStar contends that Vermont Yankee's Curie counts are smaller because Vermont Yankee had a smaller reactor core than the plant used in the NRC estimates. Marvin voiced concerns that Vermont Yankee being a smaller-sized plant does not adequately account for the much lower activity estimates. Marvin has requested that NorthStar provide details on its activity measurement methods and waste packaging techniques. He is concerned that the activities are being underestimated. However, NorthStar has refused to provide this information. Marvin does not believe that requesting measurement methods and instrumentation capabilities is an unreasonable request. He will be pursuing this matter further with the Texas Low Level Radioactive Waste Disposal Compact Commission (which oversees the disposal facility receiving VT Yankee's radioactive waste), the NRC and Vermont's Congressional Delegation.

In response, Corey Daniels indicated that some of what Marvin Resnikoff has requested is proprietary information. NorthStar has attempted to address Marvin's questions, but notes that the NRC estimates

are based on information that is 40 years old. NorthStar will still attempt to resolve these concerns, but does not doubt that the Vermont Yankee activity estimates are inaccurate.

<u>Bob Leach</u>: asked whether the east side groundwater wells are still being sampled (for radioactive contaminants). Corey Daniels noted that the groundwater wells are still being sampled. However, sampling has been phased out for several of the wells. The wells that were phased out were ones that repeatedly showed zero activity rates.

<u>Bill Irwin</u> requested clarification on PSD's presentation: Does PSD concur with NorthStar's assessment that the decommissioning project remains on-track. Eric Guzman indicated that PSD concurs that this is the case.

<u>Lissa Weinmann</u> asked whether there is a mechanism for making the site's uncontaminated equipment available for resale rather than being demolished. Lissa felt that items such as the diesel generators discussed this evening would have resale value. Also, if NorthStar does resell equipment, where do the funds from the sale go? Corey Daniels replied that some of the site's equipment has been resold; several NorthStar people work on this type of asset recovery. Fan motors from VT Yankee's cooling towers was cited as an example of equipment that was resold. It was also noted that several plant components were resold shortly after the VT Yankee shutdown. The issue is often that the cost of removing a component from the site while maintaining its required quality assurance pedigree for use at another facility is frequently higher than the value of the equipment itself. Additionally, much of the site's equipment is regarded as being antique. It is often cheaper for a potential buyer to simply purchase new equipment. Money from any sold equipment goes back to NorthStar, but much of this money is placed in contingency funds for the decommissioning project.

<u>Lissa Weinmann</u> asked whether the NRC is reconsidering its radwaste classification limits. Marvin Resnikoff indicated that there is rulemaking underway that could do so. This could conceivably allow Greater-Than-Class C waste to be shipped as Class C low level waste.

Public Questions on NorthStar and State Agencies' Reports

Public questions on these presentations begins at 1:01:40 on the meeting video.

<u>Anne Darling</u> (Easthampton, MA): asked what the acronym AOC meant. Gerold Noyes responded that it meant "Area of Concern." In a follow-up comment, Anne requested that future Panel presentations define Acronyms the first time that they are used.

 <u>John Tuthill</u> (Acworth, NH): Requested clarification on the onsite PFAS noted in the ANR / DEC report. Gerold Noyes replied that a very limited amount of PFAS (polyfluoroalkyl substances) were found in the proximity of a transformer fire that had occurred onsite a number of years ago. It is not a site-wide contamination. The measured levels are below drinking water limits.

In a follow-up question, John Tuthill asked whether the disposal locations for Vermont Yankee's non-radiological waste are being tracked. Corey Daniels indicated that the short answer is yes. Tracking is done in accordance with US Nuclear Regulatory Commission (NRC) and Vermont state waste-tracking rules. Gerold Noyes added that the non-radiological waste disposal is monitored through the State's

solid waste disposal program. Specific hazardous materials such as asbestos is sent to facilities licensed to accept these materials. Non-hazardous materials can be sent to construction waste materials.

Some additional Panel discussion followed these public comments. Lissa Weinmann expressed concern that the NRC is undertaking rulemaking that would increase the activity limits for Class C radioactive waste. In response, Corey Daniels noted that the NRC's rulemaking process can be very drawn out. It may take years. Regardless, NorthStar is committed using the current NRC activity and disposal limits. It is likely that VT Yankee's Greater Than Class C waste will be loaded and stored at the site's dry cask storage pads long before any new rules or activity limits are published by the NRC. If NorthStar were to decide to use any new NRC rules or guidance, this would be shared with the Panel along with an explanation as to why it is being done.

Regarding the transformer fire discussed in the ANR / DEC presentation, Bob Leach noted that as one of the people who respond to the VT Yankee transformer fire, the fire occurred sometime in the 1970s. It was extinguished with dry powder. Corey Daniels added that the 1970s era fire may not be the one of concern here. There was a Main Transformer fire onsite in the 1990s that may be the reason for concern here.

Early General Public Comments

No public comments were received during this period.

Discussion of Federal Nuclear Waste Policy Committee Activities

This discussion begins at 1:12:15 in the meeting video.

Lissa Weinmann, Chair of the Panel's Federal Nuclear Waste Policy Committee, briefly outlined the Committee's activities during its April and May meetings and its expected activities for the next several months. Materials compiled by the Committee for consideration is available on the following webpage: https://publicservice.vermont.gov/content/vt-ndcap-federal-nuclear-waste-policy

The Committee will next meet on June 21. It had been hoped that PUC Commissioner Sarah Hofmann would be available to discuss her work with the Nuclear Waste Strategy Coalition, but she has subsequently indicated that she is unavailable at this time. The Committee continues to learn more about such Nuclear Waste Policy topics such as Yucca Mountain and Consolidated Interim Storage. The May Committee meeting featured an excellent discussion with Mark Holt of the Congressional Research Service that summarized nuclear waste policy bills that have been proposed in Congress over the past several years. It is expected that many of these bills will be offered again. The Committee is investigating whether Vermont should formally support these efforts or any of the proposed Nuclear Waste Policy changes that the Biden Administration is currently considering.

The Committee still expects to have recommendations for potential Advisory Opinions on these subjects for Panel consideration by the end of this year. The Committee also hopes to learn more about Deep Isolation's proposal for spent nuclear fuel disposal. Community compensation for spent fuel storage is also being examined. In all, Vermont has an opportunity to influencing Federal nuclear waste-related policy.

 Lissa committed to have a running summary of the Federal Nuclear Waste Policy Committee meetings available for the entire Panel.

Sara Coffey asked several questions regarding whether NorthStar or the Public Service Department track bills for community compensation for Spent Fuel Storage. June Tierney indicated that PSD does not track this.

Lissa Weinmann indicated that community compensation is another area that the Committee is investigating. She like to have the US Department of Energy (DOE) speak to the Committee in this area and other potential policy changes.

Sara Coffey also asked whether the Town of Vernon is pursuing compensation from the DOE for storing VT Yankee's spent fuel. In response, Maddy Arms indicated not at this time. The Town has reached a tax agreement with NorthStar that currently provides storage compensation to the Town. The Town could still pursue DOE compensation in future as the agreement with NorthStar nears its end.

Status Report on VT NDCAP Legislation

Panel Members and Vermont House Representatives Sara Coffey reported on the status of the bill to realign the Panel's composition and provide a funding source for the Panel, the language for which resulted from several Panel discussions in late 2019 and early 2020. The Panel voted on the wording for

the bill in February 2020 and became part of House Bill H.431

This discussion begins at 1:30:15 on the meeting video.

(https://legislature.vermont.gov/bill/status/2022/H.431) in this year's Legislative Session.

Sara Coffey reported that H.431 was signed into law on June 3 as Act 54 of the 2021 Legislative Session. The VT NDCAP-related portions of the Act are effective July 1. The Act provides the Town of Vernon with an additional representative on the Panel (two representatives in total) and a \$35,000 annual budget for the Panel.

Panel discussion on H.431 / Act 54 turned to potential uses for its budget. Lissa Weinmann requested that PSD develop an annual budget for Panel expenses. Public Service Commissioner June Tierney countered that since the H.431 funding is for Panel uses, the Panel should develop its own budget. The Commissioner agreed to have PSD update the summary of Panel expenses that was compiled previously for the Panel's legislation discussions in early 2020. She directed State Nuclear Engineer Tony Leshinskie to work on this.

Emily Davis asked Panelists to think of any "burning issues" that the Panel's funding should address first. In response, several suggestions were made:

 Sara Coffey – the Panel needs to hear from decommissioning-related subject matter experts. The budget should be used for that rather than for Panel staffing

• June Tierney recommended that the Panel acquire a large video screen for meetings, as she expects that some Panel members (such as herself) will continue to take advantage of Panel meeting webcasts rather than making the long (3 to 4 hour) round trip to attend meetings in person

• Emily Davis noted that the Panel needs to have a general discussion on its resource uses. She committed to create a first draft for a Panel budget.

June Tierney congratulated the Panel on its efforts to obtain a budget for its work going forward. This demonstrates that good things happen when the Panel communicates robustly and stays focused on accomplishing something.

Meeting Formats for Future Panel Meetings

This discussion begins at 1:40:40 on the meeting video.

The Panel members considered what format will its meetings take in the future: will the Panel return to live "in person" meetings, continue with webcast meetings or adopt a hybrid model. Several Panel members, especially Bob Leach, voiced a strong desire for returning to in person meetings, citing "Zoom Fatigue" with webcast meetings. Several additional Panel members (Sara Coffey, Maddy Arms, Marvin Resnikoff and Emily Davis) indicated that a return to in-person meetings was important. June Tierney noted that a return to live meetings does put a strain on the Vermont agency representatives attending in-person meetings. The long drives to and from meetings combined with the typically length of a Panel meeting make for a very long day. Overnight hotel stays have been necessary in some instances.

Tony Leshinskie noted that webcasts have been provided for Panel meetings dating back to its first meetings in late 2014. The Panel has almost always had a few Panel members attend meetings via webcast. Early webcasts focused on broadcasting meeting audio and not much else. What has changed is the number of people attending via webcast, which has jumped due to the Pandemic, and the ability to broadcast meeting presentations and some meeting video live. The webcast platforms and the ability to run webcasts have improved. Tony sees no reason to discontinue webcasting, even if they are primarily in-person meetings.

Tony noted that whatever the Panel decides to do, its meetings will need to comply with Vermont Open Meeting Law (OML). OML requires that a physical meeting space is available for all meetings, even if the meeting is intended to be a webcast. This requirement was suspended for the Pandemic but will likely be reinstated as Pandemic measures are lifted. Members of the public must have the ability to hear and speak from the designated physical meeting space.

Tony added that running a meeting webcast does require a significant amount of internet bandwidth. The Brattleboro area schools that the Panel has used for most of its meeting sites have sufficient bandwidth to do so. Currently though, schools are not allowed to rent meeting spaces to outside groups, which is a Pandemic countermeasure. The Panel could use smaller spaces, such as the Windham Regional Commission Offices, and run future meetings as a webcast, provided that these smaller spaces have sufficient internet capabilities.

June Tierney added that the Vermont Secretary of State Office just published OML guidance for meetings as Pandemic measures are lifted. This guidance is available at:

https://sos.vermont.gov/media/ve5behpn/open-meeting-law-and-expiration-of-state-of-emergency memo-sos-20210614.pdf

 Concern was expressed that webcast-based meetings was straining public engagement.

Discussion turned to potential alternate meeting spaces. NorthStar was asked whether it had meeting facilities available: Corey Daniels indicated that it no longer has any large-scale meeting space at Vermont Yankee. Bob Leach asked whether the Governor Hunt House could be used. Maddy Arms indicated that this was not likely. The Hunt House currently isn't regarded as habitable; it does not currently have all utilities connected. Maddy indicated that using the Town of Vernon Offices as the designated meeting space for a webcast was a possibility. However, a space request would need to be approved by the Vernon Selectboard. Currently, the Town Offices are not open to the public.

Emily Davis indicated that she would look into the meeting space issue and requirements further while drafting the Panel budget.

General Public Comments to the Panel

Comments begin at 2:07:04 on the meeting video.

Anne Darling (Easthampton, MA): Noted that she has apparently been disconnected from the Teams Meeting Chat; was unable to add a written comment there. In response, Tony Leshinskie noted that he was seeing that a number of meeting attendees were experiencing similar issues. He has seen similar problems in other Teams meetings he has attended recently. This appears to be a recent problem with Teams itself. He will look for a fix to the problem.

In follow-up comments, Anne Darling requested that the Panel use a meeting platform other than Teams, which she regards as clunky. She also requested that the Panel do more public outreach on social media. Very few people know that these meetings are happening.

Lastly, Ms. Darling noted that she disagrees with the general contention that Nuclear Power is a green technology. The various processing steps used to create nuclear fuel all produce greenhouse gases, which negate any green benefit to nuclear power generation.

MEETING ADJOURNED AT 8:16 PM.